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Docket No. CLT-100
Serial No. 09/629,241Remarks

Claims 14-16, 18-27, and 30-50 were pending in the subject application. By this Amendment, claims 14, 32-34, and 36-37 have been amended, new claim 51 has been added, and claim 35 has been canceled. The undersigned avers that no new matter is introduced by this amendment. Upon entry of this amendment, claims 14-16, 18-27, and 30-34 and 36-51 will be before the Examiner. The amendments to the claims have been made in an effort to lend greater clarity to the claimed subject matter and to expedite prosecution. These amendments should not be taken to indicate the applicant's agreement with, or acquiescence to, the rejections of record. Favorable consideration of the claims now presented, in view of the remarks and amendments set forth herein, is earnestly solicited.

Claim 36 has been objected to. The applicant thanks the Examiner for his careful reading of the subject application. Claim 36 was to depend on claim 35. However, the limitation of claim 35 has been incorporated into claim 14 and claim 36 has been amended to depend from claim 14, in order to correct a typographical error. The applicant respectfully requests reconsideration and removal of the objection to claim 36.

Claims 14, 20, 24, 27, 32-34, 37, 41, and 44-47 have been rejected under 35 USC §102(b) as anticipated by Shanmugham (U.S. Patent No. 5,821,469). The applicant respectfully traverses this rejection. In accordance with the discussion in the interview of July 12, 2006, claims 14 and 32-34 have been amended to add the limitation of claim 35 and claim 37 has been amended to add an analogous amendment. New claim 51, depending from claim 37, has been added and incorporates a limitation analogous to claim 36, which now depends from claim 14.

The Shanmugham reference does not teach or suggest a method for securing electrical wiring to an elongated metal framing stud member having a face and two sides with a wiring clip as claimed in claim 14 of the subject application. Specifically, the Shanmugham reference does not teach or suggest "a method . . . wherein the wiring clip comprises: a main body being formed with a wire receiving area; a first arm, wherein said first arm is located at a first end of said main body, and said first arm comprises a first attachment means for attaching said first arm to a first side of a metal framing stud member having a face and two sides; a second arm, wherein said second arm is located at a second end of said main body and said second arm comprises a second attachment means for

attaching said second arm to a second side of the metal framing stud member; and said wire receiving area being adjacent the main body, wherein the wire receiving area is located between the first arm and the second arm . . .” (underline added for emphasis). Rather, the Shanmugham reference teaches, at the abstract, “a mid-section and side sections extending from the mid-section for receiving a telecommunications cable.” In particular, the Shanmugham reference, at col. 2, lines 5-8, discloses “U-shaped base clip 100 . . . comprises mid-section 102 and side sections 104 and 110 extending therefrom . . . [m]id-section 102 has a width and height defined by distances W1 and H1, respectively.”

Instead of disclosing a wire receiving area defined by a main body being formed with a wire receiving area . . . said wire receiving area being adjacent the main body, wherein the wire receiving area is located between the first arm and the second arm as claimed in claim 14, the Shanmugham reference teaches a wire receiving area that is the space defined by the inner surfaces of the clip 100. Specifically, the Shanmugham reference, at col. 2, lines 15-18, first discloses “Inner surface 105 is preferably curved to receive at least one cylindrical telecommunications cable, such as telecommunications cable 120.” Then, the Shanmugham reference, at col. 2, lines 27-40, discloses “First side section 104 extends from a first end of mid-section 102 . . . Inner surface 109 of first side section 104 is adjacent to telecommunications cable 120 and track 130 . . . Also shown is second side section 110 extending from a second side of mid-section 102 . . . Inner surface 115 is adjacent to telecommunications cable 120 and track 130.” Further, at col. 2, lines 41-45, the Shanmugham reference teaches that “During installation, a technician manipulates base clip 100 so that inner surface 105 surrounds a portion of a telecommunications cable and distal flanges 108, 114 conform to a stationary portion of telecommunications equipment.” Accordingly, the wire receiving area is the space formed by inner surfaces 105, 109, and 115. Instead of being an element that the main body is formed with, as claimed in claim 14 of the subject application, the wire receiving area of the Shanmugham reference is formed by the first arm, main body, and second arm. Moreover, the wire receiving area of the Shanmugham reference is not located between the first arm and the second arm, as claimed by claim 14, but, rather, is created by the first arm and the second arm of the Shanmugham reference such that a wire positioned within the wire receiving area is adjacent to the first arm and the second arm of the Shanmugham reference.

Furthermore, the Shanmugham reference does not teach a method for securing electrical wiring to an elongated metal framing stud member wherein attaching said first arm to a first side of the metal framing stud member and attaching said second arm to a second side of the metal framing stud member brings the main body in contact with the face of the metal framing stud member, and the Shanmugham reference does not teach a wiring clip for securing electrical wiring to a metal framing stud member wherein when said first arm and said second arm are attached to the first and second sides, respectively, of the metal framing member, the main body is in contact with the face of the metal framing stud member.

Therefore, the Shanmugham reference does not teach or suggest a method for securing electrical wiring to an elongated metal framing stud member having a face and two sides with a wiring clip as claimed in claims 14, 20, 24, 27, 32-34, 37, 41, and 44-47 of the subject application. Accordingly, reconsideration and withdrawal of the rejection under 35 USC §102(b) is respectfully requested.

Claim 26 and 43 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shanmugham (U.S. Patent No. 5,821,469). The applicant respectfully traverses this grounds for rejection. The deficiencies of the Shanmugham reference have been discussed above with respect to claims 14-37, from which claim 26 and 43 depend. Accordingly, a prima facie case of obviousness has not been presented with respect to claim 26 and 43. Therefore, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 26 and 43 under 35 U.S.C. §103(a).

Claims 15-16, 18-19, 30-31, 35-36, and 48-50 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shanmugham (U.S. Patent No. 5,821,469) in view of Rumbold (U.S. Patent No. 5,141,185). The applicant respectfully traverses this grounds for rejection. The applicant submits that the Shanmugham and Rumbold references, alone or in combination, do not teach or suggest the subject invention as claimed in claims 15-16, 18-19, 30-31, 35-36, and 48-50. The deficiencies of the Shanmugham reference have been discussed above with respect to the rejection of claims 14-37, from which claims 15-16, 18-19, 30-31, 35-36, and 48-50 depend. The Rumbold reference does not cure such defects. Further, there is no motivation to modify the Shanmugham reference to arrive at the limitation "wherein the first arm and the second arm are thin enough to not interfere with the attachment of a covering material to the framing member" as claimed in claim 30.

In fact, the Shanmugham reference, at col. 1, lines 36-42, relates to “[i]n the preferred embodiment, a base clip including extended side section for gripping a surface of telecommunications equipment has serrated edges on outer surfaces for interlocking with other clips . . . [a] “grow” clip comprising serrated edges on inner surfaces interlocks with the serrated edges of other clips.” Specifically, the Shanmugham reference teaches a base clip 100 and a grow clip 200. In reference to the base clip 100, the Shanmugham reference, at col. 2, lines 22-37, teaches “First side section 104 includes downwardly disposed serrated edge 106 on its outer surface 107 . . . Side section 110 includes downwardly disposed serrated edge 112 on its outer surface 113 . . . ”

It appears that for arms thin enough to not interfere with the attachment of a covering material to the framing member, the serrated edge of the arm taught by the Shanmugham reference could not protrude enough to enable the gripping of a grow clip. Therefore, there is no motivation to modify the Shanmugham reference to make the arms thin enough not to interfere with the attachment of a covering material to the framing member, as claimed in claim 30 of the subject application. Accordingly, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 15-16, 18-19, 30-31, 35-36, and 48-50 under 35 U.S.C. §103(a).

Claims 21-23 and 38-40 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shanmugham (U.S. Patent No. 5,821,469) in view of Knezo (U.S. Patent No. 3,508,730). The applicant respectfully traverses this grounds for rejection. The deficiencies of the Shanmugham reference have been discussed above with respect to the rejection of claims 14 and 37, from which claims 21-23 and 38-40 depend. The Knezo reference does not cure such defects. The applicant submits that the Shanmugham and Knezo references, alone or in combination, do not teach or suggest the subject invention as claimed in claims 21-23 and 38-40. Accordingly, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 21-23 and 38-40 under 35 U.S.C. §103(a).

Claims 25 and 42 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Shanmugham (U.S. Patent No. 5,821,469) in view of Kirschenbaum (U.S. Patent No. 4,538,782). The applicant respectfully traverses this grounds for rejection. The deficiencies of the Shanmugham reference has been addressed above with respect to the rejection of claims 14 and 37, from which claims 25and 42 depend. The Kirschenbaum reference does not cure these defects. Accordingly, the

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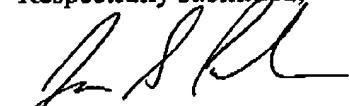
applicant respectfully requests reconsideration and withdrawal of the rejection of claims 25 and 42 under 35 U.S.C. §103(a).

In view of the foregoing remarks and amendments to the claims, the applicant believes that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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Attachment: Petition and Fee for Extension of Time